



Crl.O.P.No.19606 of 2024

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P.DHANABAL,J.

The petitioners/A3 and A4, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 296(b), 126(2), 132, 351(3) of BNSS r/w 4 of TNPHW in Crime No.287 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant who is the Zonal Deputy Block Development Officer at Nallur Union Office lodged a complaint on 31.07.2024, alleging that on 31.07.2024, at about 12.00 p.m., the defacto complainant and other officials were in the process of removing the encroachments in Veppur Old Colony. At that time, the petitioners along with others have interrupted the said work and abused the defacto complainant and other official with filthy language. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the officials demolished the house of the petitioners without notice and therefore, the petitioners have raised objection to the officials. He also submits that the



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the co-accused were enlarged on bail by this Court vide order dated 14.08.2024 in Crl.OP.No.19610 of 2024. He further submits that the petitioners are ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioners have interrupted the defacto complainant/Zonal Deputy Block Development Officer and other official who were in the process of removing the encroachments, threatened and abused them with filthy language and submitted the eviction was done in proper manner. There are nine previous cases against these petitioners and they were enlarged on bail. Thereby, he strongly opposed for the grant of anticipatory bail to the petitioners.

5. Heard both side and perused the materials available on record.



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6. Considering the submissions made by the learned counsel on either side, the allegations made in the FIR and also considering the fact that the the co-released were released on bail and the petitioners were released in all other previous cases, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate-I, Vridhachalam** on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before respondent police, everyday at 10.30 a.m., for a period of 30 days.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

20.08.2024

Vv



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20.08.2024